

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOVAN MARQUIS HARRIS,

Defendant.

Case No. 3:16-cr-00272

**ORDER SETTING SENTENCING
HEARING AND ESTABLISHING
DEADLINES**

Defendant Harris's sentencing hearing is scheduled for **Tuesday, October 9, 2018, at 1:30 p.m., in Fargo, North Dakota.** The parties are advised of the following requirements:

1. Length of Hearing:

The amount of time allotted for the sentencing hearing will be two hours. If either party believes additional time will be necessary, that party shall notify my chambers immediately via email, with a copy to the opposing party.

2. Exhibits and Witnesses:

If a party intends to offer witnesses and/or exhibits during the hearing, that party must, at least seven (7) days before the sentencing hearing, file a notice disclosing those witnesses and exhibits. Copies of the exhibits shall be filed as electronic attachments to the notice. If a party files a sentencing memorandum or motion pursuant to paragraph 3 of this order, the witness and exhibit lists may be included as part of the memorandum or motion.

3. Sentencing Motions and Memoranda:

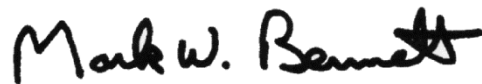
a. Except as noted below, any request that I depart or vary from the advisory United States Sentencing Guidelines range, either upward or downward, must be asserted in a motion stating with particularity the basis for the requested departure or variance, and must be supported by a brief. This requirement does not apply to a motion by the Government pursuant to USSG § 5K1.1 or 18 U.S.C. § 3553(e).

b. Any motion, sentencing memorandum or brief relating to a sentencing issue, including any motion or brief filed under paragraph 3.a of this order, must be filed at least seven (7) days before the sentencing hearing.

c. Any response to a sentencing motion, memorandum or brief must be filed at least three (3) days before the sentencing hearing. If the party filing the response believes that additional witnesses or exhibits, not already disclosed pursuant to paragraph 2 of this order, are necessary to support the response, that party must disclose those witnesses and exhibits in its response. Copies of the additional exhibits shall be filed as electronic attachments to the response.

IT IS SO ORDERED.

DATED this 30th day of August, 2018.



MARK W. BENNETT
U.S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA
VISITING JUDGE